

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KRISTOPHER WOOLFE,
Plaintiff,
v.
CLAYTON, et al.,
Defendants.

Case No.: 2:25-cv-00589-JAD-DJA

ORDER

CLAYTON, et al.,

Defendants.

On March 31, 2025, state prisoner Kristopher Woolfe submitted a civil-rights complaint under 42 U.S.C. § 1983 along with a motion stating that Plaintiff has started the process to have prison officials pay the full \$405 filing fee for this civil action from funds in inmate trust fund account. (ECF Nos. 1-1, 1-2). The Court construes this motion as requesting an extension of time to either pay the required filing fee or apply to proceed *in pauperis* in this civil action, and it grants Plaintiff that relief. Plaintiff also moves for the Court to file a first amended complaint to correct defects with his original complaint. (ECF Nos. 3, 4). The Court grants this motion. Because an amended complaint replaces an earlier-filed complaint, *see Hal Roach Studios, Inc. v. Richard Feiner & Co.*, 896 F.2d 1546 (9th Cir. 1989), the Court disregards Plaintiff's original complaint (ECF No. 1-1) and it will screen Plaintiff's first amended complaint (ECF No. 4) once Plaintiff addresses the matter of the filing fee.

It is therefore ordered that the motion about the filing fee (ECF No. 1-2) is construed as a motion seeking an extension of time to either pay the required filing fee or apply to proceed in forma pauperis, and it is **GRANTED to that narrow extent.**

It is further ordered that Plaintiff has **until June 9, 2025**, to either pay the full \$405 filing fee or file: (1) a completed application to proceed *in forma pauperis* with the inmate's two signatures on page 3, (2) a completed financial certificate that is signed both by the

1 inmate and the prison or jail official, and (3) a copy of the inmate's trust fund account
2 statement for the previous six-month period.

3 It is further ordered that the motion for leave to file an amended complaint (**ECF**
4 **No. 3**) is **GRANTED**, and the first amended complaint (ECF No. 4) is Plaintiff's operative
5 complaint.

6 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
7 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
8 to refile the case with the Court, under a new case number, when Plaintiff can file a
9 complete application to proceed *in forma pauperis* or pay the required filing fee.

10 The Clerk of the Court is directed to send Plaintiff the approved form application to
11 proceed *in forma pauperis* for an inmate with instructions.

13 DATED: April 9, 2025

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UNITED STATES MAGISTRATE JUDGE